

Plaintiff,

Docket No. 06-CV-0051S(SR)

-v-

LT. ROBERT WHELAN,
CITY OF BUFFALO

Defendants

**VOLUNTARY STIPULATION
OF DISMISSAL**

WHEREAS this action has been settled amicably by and between Plaintiff and Lt. Robert Whelen [sic] (Whalen) without any admission of liability or wrongdoing of any kind by Lt. Robert Whalen, now therefore

IT IS HEREBY STIPULATED pursuant to Rule 41(a) (1)(ii) Fed.R.Civ.P. by and between the parties hereto by their undersigned attorneys that this action may be, and the same hereby is, dismissed as against Robert Whalen with prejudice and on the merits without costs of any kind or description to any party including, without limitation, attorneys fees or expenses.

DATED: BUFFALO, NEW YORK
JANUARY 24, 2008

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IT IS SO ORDERED:

DATED: BUFFALO, NEW YORK
JANUARY ____, 2008.

Hon. WILLIAM M. SKRETNY
United States District Judge